

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA and
STATE OF FLORIDA *ex rel.*
OMNI HEALTHCARE, INC.

Plaintiffs,

v.

STEWARD HEALTH CARE SYSTEM LLC;
STEWARD HEALTH CARE HOLDINGS LLC;
STEWARD HEALTH CARE INVESTORS, LLC;
CERBERUS CAPITAL MANAGEMENT, L.P.;
STEWARD PHYSICIAN CONTRACTING, INC;
STEWARD MELBOURNE HOSPITAL, INC d/b/a
MELBOURNE REGIONAL MEDICAL CENTER;
STEWARD ROCKLEDGE HOSPITAL, INC. d/b/a
ROCKLEDGE REGIONAL MEDICAL CENTER;
RALPH DE LA TORRE; MICHAEL CALLUM;
DANIEL KNELL; JOSH PUTTER; TIM
CROWLEY AND JAMES RENNA,

Defendants.

Case No. 3:21-cv-0870-S

**MOTION TO DISMISS BY DEFENDANTS JOSH PUTTER, TIM CROWLEY, AND
DANIEL KNELL**

Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), Defendants Josh Putter, Tim Crowley, and Daniel Knell (“Movants”) respectfully move the Court to dismiss all claims asserted against them in Relator Omni Healthcare Inc.’s complaint (ECF No. 2). The grounds for this motion are fully set forth in the Movant’s accompanying brief in support of their Motion to Dismiss as well as in the Steward Defendants’ adjacent briefing (ECF No. 60).

JOSH PUTTER, TIM CROWLEY, AND
DANIEL KNELL,

By their attorneys,

/s/ Thomas G. Yoxall
Thomas G. Yoxall
Texas Bar No. 00785304
tyoxall@lockelord.com
Nicholas S. Gruber
Texas Bar No. 24122918
Nick.gruber@lockelord.com
2200 Ross Avenue
Suite 2800
Dallas, TX 75201
(214) 740-8000

Howard M. Cooper
hcooper@toddweld.com
Massachusetts Bar No. 543842
Seth J. Robbins
srobbins@toddweld.com
Massachusetts Bar No. 655146
Keval D. Kapadia
Massachusetts Bar No. 709323
kkapadia@toddweld.com
TODD & WELD LLP
One Federal Street, 27th Floor
Boston, MA 02110

Dated: November 10, 2023

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2023, I electronically filed the foregoing document using the Court's ECF system, which will send notice of the filing to all counsel of record via e-mail.

/s/ Thomas G. Yoxall
Thomas G. Yoxall